



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

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August 15, 2008

Cheryl McGarrity
JAX EIS/OEIS PM
Code EV22CM
6506 Hampton Boulevard
Norfolk, Virginia 23508-1278

SUBJECT: Draft Environmental Impact Statement/Overseas Environmental Impact Statement for the Navy's Proposed Training at the Jacksonville Range Complex in North Carolina, South Carolina, Georgia, and Florida; CEQ Number 20080115

Dear Ms. McGarrity:

The U.S. Environmental Protection Agency (EPA) has reviewed the referenced Draft Environmental Impact Statement (EIS)/Overseas EIS in accordance with its responsibilities under Section 309 of the Clean Air Act and Section 102(2)(C) of the National Environmental Policy Act (NEPA). The U.S. Department of the Navy (Navy) prepared a Draft EIS/Overseas EIS to assess the potential environmental impacts over a 10-year planning horizon associated with Navy Atlantic Fleet training; research, development, testing, and evaluation (RDT&E) activities; and associated range capabilities enhancements (including infrastructure improvements) in the Jacksonville and Charleston operating areas, hereafter referred to as the Jacksonville (JAX) Range Complex.

A range complex, such as the JAX Range Complex, is a set of co-located areas of sea space, undersea space, land ranges and overlying special use airspace (SUA) designated for military training and testing operations. Range complexes provide a controlled and safe environment with threat representative targets where military ships and aircraft can train in realistic combat-like conditions throughout the graduated buildup needed for combat ready deployment. The JAX Range Complex geographically encompasses offshore, nearshore, and onshore operating areas and training ranges. This complex is made up of approximately 50,090 square nautical miles (nm²) of sea space and 62,596 nm² of SUA off the coasts of North Carolina, South Carolina, Georgia, and Florida, as well as 20 square miles of inland ranges and associated Restricted Airspace of the Rodman Range and Lake George Range area in north-central Florida.

The Navy has identified the need to support and conduct current and emerging training and RDT&E operations in the JAX Range Complex. The proposed action does not include major changes to JAX Range Complex facilities, operations, training, or RDT&E capacities over the 10-year planning period. Rather, the proposed action would result in relatively small-scale but critical enhancements to the JAX Range Complex that are necessary if the Navy is to

maintain a state of military readiness commensurate with its national defense mission. Three alternatives were considered in the Draft EIS: 1) no action alternative – maintain current training operations within the JAX Range Complex; 2) Alternative 1 – increase and modify operational training to include expanded warfare missions, accommodate force structure changes, and enhance range complex capabilities; and 3) Alternative 2 – same as Alternative 1 with some increases in operations. Alternative 2 also includes the elimination of live bombing exercises and designation of specific mine warfare training areas in the complex. Alternative 2 was identified as the preferred alternative.

In general, EPA supports the purpose and need for the action proposed in the Draft EIS. EPA understands the need to conduct realistic training on accessible training ranges and other appropriate facilities. EPA appreciates the Navy's comprehensive approach to analyze the impacts of their ongoing operations and project the impacts into the future based on reasonably foreseeable training needs. However, based on our review of the Draft EIS, EPA has environmental concerns about the effect of the Navy's training activities primarily associated with the deposition of expended training materials and their accumulation over time. This was identified in the Draft EIS as the greatest impact of Navy training activities. The accumulation of these expended materials in this area from past use plus the additive environmental impact associated with the proposed action's 10-year plan raises concerns about the long-term impacts to the aquatic environment. EPA requests additional monitoring commitments to address these concerns. EPA offers the following additional specific comments for your consideration in development of the Final EIS for this project:

Noise/Air Quality

As part of the proposed action, the Navy proposes to increase the number, type and operations of commercial air services (CAS) within the JAX Range Complex. The Draft EIS suggests that the increased use of CAS training would not substantially increase aircraft numbers, emissions, etc. However, the Draft EIS does not identify the location from which these aircraft would originate. It is conceivable that there would not be a significant increase in the number of sorties/events; however there could be significant adverse noise or air quality impacts associated with these CAS events if they are originating from different locations that are not currently experiencing this level of engagement. What additional impacts from the use of CAS to supplement Navy training would be reasonably foreseeable? EPA recommends that the Final EIS address this issue.

Endangered Species

The Draft EIS identifies a number of mitigation measures that were put in place as part of the 1997 Biological Opinion (BO) from the National Marine Fisheries Service (NMFS) on Navy training impacts to several endangered species, primarily the North Atlantic Right Whale. This includes avoidance of transits through the critical habitat, establishment of buffer zones around the critical habitat, cautious vessel operation, marine mammal lookouts posted aboard ships, and ordnance drops restricted to a designated area with other special restrictions during the calving season of the right whale. It also included an incidental take statement for sea turtles. The Draft

EIS does not include any information about the success of these measures. How well are they currently working? What are the results from any monitoring conducted in accordance with these protocols? Since these measures will be included as part of the proposed action and are important to minimize impacts to these species, EPA recommends that the Final EIS include a thorough description of the historical results of this important mitigation/monitoring commitment.

Hazardous Materials

The Draft EIS states that, “The Navy makes every effort to minimize its use of hazardous material during training, and recovers and reuses unexpended training material to the extent practicable.” What percent of training material is recovered and how does the expended training material contribute to marine debris? There are very few specifics about the extent to which material is recovered and reused as part of overall training activities. Furthermore, there are no specific commitments to make this a part of normal training operations protocols to minimize long-term impacts from deposition of expended or unexploded material. EPA requests additional information and a discussion of efforts to minimize and reduce the amounts of hazardous materials deposited into the aquatic environment from training activities.

On a related issue, range maintenance at Rodman Range is performed annually for the 1,000-foot diameter around the center of the target and every five years for the 3,000-foot diameter, which reduces the accumulation of military expended materials. EPA has concerns about the potential environmental impacts of the recovery efforts, particularly at Rodman Range. The Draft EIS is not clear on the nature of these recovery operations and the potential for environmental/wetlands impacts from clean-up operations. Could there be impacts on nesting and/or migrating birds, erosion, wetland vegetation impacts, suspended solids, etc? EPA recommends that these issues related to recovery efforts be discussed in the Final EIS.

Mitigation and Monitoring Measures

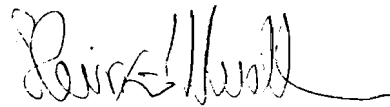
The Draft EIS includes a comprehensive chapter on proposed mitigation and monitoring programs. The commitment on the part of the Navy to develop an Integrated Comprehensive Monitoring Program (ICMP) is important given the magnitude of proposed training activities and the geographic size of the training areas. EPA supports the development of a comprehensive monitoring program to ensure that the ongoing impacts from these training activities are assessed and appropriately addressed/mitigated once identified. However, it appears that the focus of the ICMP will be limited to marine mammals and other threatened and endangered species.

Since there have been no specific, quantitative studies of the extent and impacts of military expended material (MEM) in the JAX Range Complex, EPA recommends that the ICMP be expanded to include a commitment to study and monitor impacts of MEM in the aquatic environment similar to the study cited in the Draft EIS of impacts at a Canadian Test Range near British Columbia. This commitment would also serve to provide information in the future to support the conclusions in the EIS that the MEM would have no significant impact on bottom topography, sediment, and water quality. An expanded ICMP could also include programs for

damage inspections followed by damage assessments and repair to assist in developing long-term mitigation for continuing operations and the ability to reevaluate conditions in the future. EPA recommends more specificity in the Final EIS on the content of the ICMP, with an intent to include these specific commitments in the Record of Decision for the project.

We rate this document EC-2 (Environmental Concerns). Enclosed is a summary of definitions for EPA ratings. We have concerns that the proposed action identifies the potential for impacts to the environment that should be avoided/minimized. We appreciate the opportunity to review the proposed action. Please contact Ben West of my staff at (404) 562-9643 if you have any questions or want to discuss our comments further.

Sincerely,

A handwritten signature in black ink, appearing to read "Heinz J. Mueller", with a long horizontal flourish extending to the right.

Heinz J. Mueller, Chief
NEPA Program Office
Office of Policy and Management

Enclosure

U.S. ENVIRONMENTAL PROTECTION AGENCY

ENVIRONMENTAL IMPACT STATEMENT (EIS) RATING SYSTEM CRITERIA

EPA has developed a set of criteria for rating Draft EISs. The rating system provides a basis upon which EPA makes recommendations to the lead agency for improving the draft.

RATING THE ENVIRONMENTAL IMPACT OF THE ACTION

- **LO (Lack of Objections):** The review has not identified any potential environmental impacts requiring substantive changes to the preferred alternative. The review may have disclosed opportunities for application of mitigation measures that could be accomplished with no more than minor changes to the proposed action.
- **EC (Environmental Concerns):** The review has identified environmental impacts that should be avoided in order to fully protect the environment. Corrective measures may require changes to the preferred alternative or application of mitigation measures that can reduce the environmental impact.
- **EO (Environmental Objections):** The review has identified significant environmental impacts that should be avoided in order to adequately protect the environment. Corrective measures may require substantial changes to the preferred alternative or consideration of some other project alternative (including the no action alternative or a new alternative). The basis for environmental objections can include situations:
 1. Where an action might violate or be inconsistent with achievement or maintenance of a national environmental standard;
 2. Where the Federal agency violates its own substantive environmental requirements that relate to EPA's areas of jurisdiction or expertise;
 3. Where there is a violation of an EPA policy declaration;
 4. Where there are no applicable standards or where applicable standards will not be violated but there is potential for significant environmental degradation that could be corrected by project modification or other feasible alternatives; or
 5. Where proceeding with the proposed action would set a precedent for future actions that collectively could result in significant environmental impacts.
- **EU (Environmentally Unsatisfactory):** The review has identified adverse environmental impacts that are of sufficient magnitude that EPA believes the proposed action must not proceed as proposed. The basis for an environmentally unsatisfactory determination consists of identification of environmentally objectionable impacts as defined above and one or more of the following conditions:
 1. The potential violation of or inconsistency with a national environmental standard is substantive and/or will occur on a long-term basis;
 2. There are no applicable standards but the severity, duration, or geographical scope of the impacts associated with the proposed action warrant special attention; or
 3. The potential environmental impacts resulting from the proposed action are of national importance because of the threat to national environmental resources or to environmental policies.

RATING THE ADEQUACY OF THE ENVIRONMENTAL IMPACT STATEMENT (EIS)

- **1 (Adequate):** The Draft EIS adequately sets forth the environmental impact(s) of the preferred alternative and those of the alternatives reasonably available to the project or action. No further analysis or data collection is necessary, but the reviewer may suggest the addition of clarifying language or information.
- **2 (Insufficient Information):** The Draft EIS does not contain sufficient information to fully assess environmental impacts that should be avoided in order to fully protect the environment, or the reviewer has identified new reasonably available alternatives that are within the spectrum of alternatives analyzed in the Draft EIS, which could reduce the environmental impacts of the proposal. The identified additional information, data, analyses, or discussion should be included in the Final EIS.
- **3 (Inadequate):** The Draft EIS does not adequately assess the potentially significant environmental impacts of the proposal, or the reviewer has identified new, reasonably available, alternatives, that are outside of the spectrum of alternatives analyzed in the Draft EIS, which should be analyzed in order to reduce the potentially significant environmental impacts. The identified additional information, data, analyses, or discussions are of such a magnitude that they should have full public review at a draft stage. This rating indicates EPA's belief that the Draft EIS does not meet the purposes of NEPA and/or the Section 309 review, and thus should be formally revised and made available for public comment in a supplemental or revised Draft EIS.